

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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NANSI NELSON AND BARRY NELSON,

PLAINTIFFS,

06-CV-1058  
GLS/RFT

-AGAINST-

ULSTER COUNTY, NEW YORK, LEWIS KIRSCHNER,  
NINA POSTUPACK, AND WVD 2906209, LLC,

**CROSS MOTION TO**  
**DISQUALIFY**  
**PLAINTIFFS'**  
**ATTORNEY**

DEFENDANTS.  
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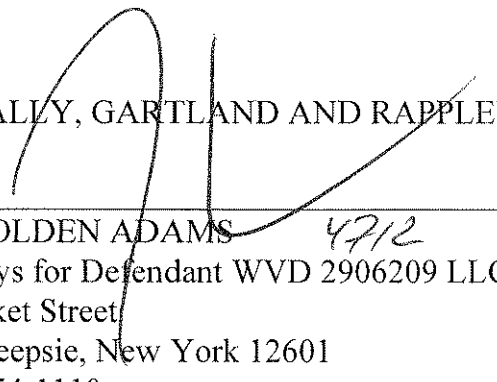
The defendant, WVD 2906209, LLC, cross moves the court for an order pursuant to FRCP 7(b)(1) and Local Rule 7.1 disqualifying John Hector as attorney for plaintiffs Nelson if plaintiffs' motion to amend the complaint is granted, on the grounds that John Hector cannot be both a witness and attorney for plaintiffs and for such further and other relief as may be just and proper.

This motion is based on the proposed amended complaint, the affidavit of Mark Delacorte and the affirmation of Jon Holden Adams.

Dated: Poughkeepsie, New York  
July 10, 2007

CORBALLY, GARTLAND AND RAPPLEYEA, LLP

By:

  
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